

## UNITED STATES DISTRICT COURT

for the

Southern District of Georgia  
Statesboro DivisionUnited States of America  
v.

Donald Whitehead

Date of Previous Judgment: December 7, 2005

(Use Date of Last Amended Judgment if Applicable)

) Case No: CR605-00009-001) USM No: 12275-021) Jay Stewart

) Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_.

**I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)**Previous Offense Level: 29Amended Offense Level: 29Criminal History Category: VICriminal History Category: VIPrevious Guideline Range: 151 to 188 monthsAmended Guideline Range: 151 to 188 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

**III. ADDITIONAL COMMENTS**

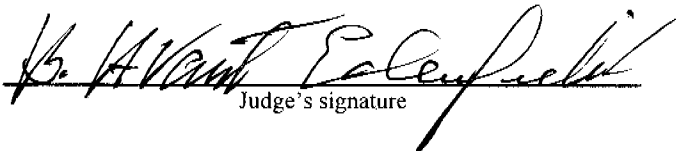
The Court notes that this defendant is a career offender, pursuant to U.S.S.G. § 4B1.1. The amendment to the crack cocaine guideline does not impact this defendant's guideline computations for that reason.

Except as provided above, all provisions of the judgment dated \_\_\_\_\_ shall remain in effect.

**IT IS SO ORDERED.**Order Date: 9-9-2008

Effective Date: \_\_\_\_\_

(if different from order date)

  
Judge's signature

B. Avant Edenfield  
United States District Judge  
For the Southern District of Georgia  
Printed name and title